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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
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)
Deregulation/Privatization of Equipment)
Registration and Telephone Network) CC Docket No. 99-216
Connection Rules (47 C.F.R. Part 68))
)

COMMENTS OF SBC COMMUNICATIONS INC.

SBC Communications, Inc.¹ ("SBC") strongly supports this effort of the Commission to reduce governmental oversight where it is unnecessary, while retaining regulatory authority where necessary to protect the public switched network. SBC will work to support a single set of mandatory requirements based on the four basic principles in the Part 68 rules.

I. Declaration of Conformity Proposal

It is SBC's understanding that the manufacturers wish to replace the Part 68 application process, which takes about five weeks to reach completion, with a Declaration of Conformity process, which would not impose any regulatory delay at all on a new product being brought to market. The manufacturer would simply file a "declaration of conformity" providing assurance that the product meets the four basic requirements currently found in the Part 68 rules. Those four basic requirements are:

¹ SBC Communications Inc. is the parent company of various subsidiaries, including telecommunications carriers. These subsidiaries include Southwestern Bell Telephone Company ("SWBT"), Pacific Bell, Nevada Bell, and The Southern New England Telephone Company ("SNET"). The abbreviation "SBC" shall be used herein to include each of these subsidiaries as appropriate in the context.

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SBC Communications Inc.
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- the product poses no electrical hazard to telephone company personnel;
- the product will not damage telephone equipment;
- the product will not cause any malfunction of telephone company billing equipment; and
- the product will not degrade the service of persons other than the user of the subject terminal equipment and/or the user's calling or called party.

The manufacturers propose that the FCC not be involved at all in the initial marketing of the product under the Declaration of Conformity process, but merely enforce the principles currently found in the rules when called upon to do so as a result of a dispute as to whether or not a new product does really meet the guidelines set forth above.

While SBC believes that a Declaration of Conformity process is a workable solution to the regulatory delay that currently slows the time to market for new products by as much as five weeks, it is important that the Commission implement appropriate penalties for misrepresentations made in the context of a Declaration of Conformity to ensure compliance with the new system. A pure honor system is not appropriate when the safety of employees and the security of the public switched network are at stake. The failure of even a few companies to actually comply with the technical criteria in the Part 68 rules would pose a far greater danger to the implementation of new technology than does the delay inherent in the existing process.

II. SBC Position on Forum Inquiries

Forum #1: As 47 C.F.R. Part 68 stands now, what rules are clearly no longer necessary? If specific criteria are necessary to protect the telephone network, what are they, and why are they necessary? If criteria to protect the network are necessary, how shall these criteria be structured to address the requirements of new technology?

Response to Forum #1: Rule 68.215, which covers documentation requirements and acceptance testing for imbalance, could be eliminated because there are industry and state rules that cover these items. The industry also has requirements such as Bellcore (Telcordia) GR-334-CORE - Switched Access Service: Transmission Parameter Limits and Interface Combinations. States also have requirements such as the Quality of Service Section of the Substantive Rules of the Public Utility Commission of Texas, Section 23.61. In addition, there are other public fora looking at the same issues, such as the Network Operational Forum (NOF).

In addition, Rule 68.302 (a), which relates to the stresses that equipment must be able to sustain and still not pose a shock hazard to consumers could be eliminated because industry standards also cover this issue. The type of "shock" covered in this portion of the rules is an electrical shock to a user of the equipment, a consumer issue; these rules do not play a part in protecting the network from "harm" caused by electrical surges that damage the public switched network.

Finally, Rule 68.500, which relates to technical specifications, could also be eliminated. The end user customer's local telephone company usually provides the regulated wiring to the Network Interface Device (NID) (directly or on a resale basis through a CLEC) and may also provide all of the non-regulated jacks in a single living unit. However, the living unit owner/tenant should have the right to pick the type jacks they need in their homes. Industry guidelines should be sufficient to ensure that those jacks will work effectively when plugged into the public switched network.

The remaining technical criteria set forth in FCC Part 68 are necessary to protect the public switched network and should be retained. The technical criteria specified therein that support the four basic requirements cited in the bullet points on page one of these Comments are still needed for the same reasons as originally written. None of those technical criteria in the rules today stop the application of new technology in the

network. The practice of using industry fora, such as the TIE1.4 committee on Spectrum Compatibility and the TR41.9&11 committees should be continued. The review of equipment standards by such committees will provide a basis for future changes in the network. The actions of such committees will actually foster new technology.

Forum # 2: Can we create a new paradigm in the private sector to replace 47 C.F.R. Part 68 and continue to protect the telephone network from harmful CPE or interconnection? If so, how should such a transition be made? What level of Governmental oversight, if any, is necessary to implement 47 C.F.R. Part 68 rules and criteria, and why? What safeguards or procedures, if any, should be implemented to address issues that private industry may not be able to resolve? What policies and rules should be implemented to privatize any remaining 47 C.F.R. Part 68 Rules?

Response to Forum # 2: A new paradigm can be created in the private sector to replace those portions of 47 C.F.R. Part 68 cited above in response to Forum # 1, but in order to protect the telephone network from harmful CPE or interconnection, the remaining rules set forth in 47 C.F.R. Part 68 should remain in place and be subject to FCC oversight. The transition could best be made through a forum such as the one announced in this docket, where industry representatives can discuss and arrive at a consensus as to which rules are no longer necessary and how a transition can best be made to private industry guidelines to take the place of those rules. As to the issues that private industry may not be able to resolve, those matters should remain subject to full FCC supervision. SBC does not support any further privatization of the remaining 47 C.F.R. Part 68 rules.

Forum # 3: Can the registration/certification procedural rules be streamlined (whether implemented by Government or by private entities)? What portions of the Guide to FCC Form 730 should be implemented as procedural rules? What portions of the Guide to FCC Form 730 are no longer necessary?

Response to Forum # 3: The registration/certification procedural rules could be streamlined by eliminating Rules 68.215, 68.302(a) and 68.500.

III. PARTICIPATION IN THE FORA

SBC is interested in participating on the panels of all of the fora. SBC will contact Susan Magnotti of the Network Services Division, as directed by the Common Carrier Bureau notice of the fora, to request further information as to scheduling and opportunity for participation.

Respectfully Submitted,

SBC COMMUNICATIONS INC.


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July 2, 1999

Certificate of Service

I, Mary Ann Morris, hereby certify that the foregoing "Comments of SBC Communications Inc." in CC Docket No. 99-216 has been served on July 2, 1999 to the Parties of Record.

/s/ Mary Ann Morris
Mary Ann Morris

July 2, 1999

SBC Communications Inc.
July 2, 1999

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